



Attorney Docket: 119.002

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Irving M Fishman
Type or Print Name

Irving M Fishman
Signature

January 19, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
Awad

SERIAL NO: 10/646,122

FILED: August 22, 2003

FOR: CROSS-LINKED SILICONE GELS;
PRODUCTS CONTAINING THE SAME; AND
METHODS OF MANUFACTURE THEREOF

Group Art Unit: 1712
Examiner: marc S. Zimmer

Box Non-Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SECOND CORRECTED
INFORMATION DISCLOSURE STATEMENT**

Sir:

Further to the Information Disclosure Statements filed in the above identified Application on November 20, 2003 and December 1, 2003, Applicant, in preparing it's response to the outstanding action have noted some errors in the statements made therein. The present paper is a correction of those earlier statements. All of the statements relate to whether particular formulations that were offered for sale before the filing date of the present application (8/22/2003) did or did not have the shear controlled during the polymerization step. Applicant regrets any inconvenience to the office. The entire text beginning with the Table of the December 1, 2003 IDS is reproduced below with deletions overstruck and additions underscored in Bold.

			<u>Form #</u>													
<u>Component</u>	Form A	Form B	Form C	Form D	Form E	Form F	Form G	Form H	Form I	Form J	Form K	Form L	Form M	Form N	Form O	
Divinyl PDMS ¹	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
PDPDMS ⁵					+	+	+									
MHPS ²	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Pt catalyst	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Tetrameric cyclomethicone		+			+					+						
Pentameric cyclomethicone			+			+					+	+	+	+	+	
Linear PDMS ³				+			+	+	+							
Linear PDMS ⁴										+	+					
Isododecane	+															
Diluted with	+					+	+	+	+			+	+	+	+	
Linear DMS ³						+	+	+	+							
Pentameric cyclomethicone						+						+	+		+	
Isododecane	+								+							
Hydrogenated Polyiso-butene													+		+	
Total Polymer ⁶	5.2	6	6	6	12.6	12.6	12.6	5.7	5.9	4.5	4.5	4.1	2.3	4.2	3.9	

¹Divinyl terminated polydimethylsiloxane

²Methyl hydrogen polysiloxane

³Linear polydimethyl siloxane 5centistokes

⁴Linear polydimethyl siloxane 1000 centistokes

⁵Divinyl terminated polydiphenyldimethylsiloxane

Formulation A was first quoted for sale on 6/4/02, more than a year before the present application date, but less than 1 year before Applicant's provisional application.

Formulation B was quoted for sale based on a product that did not control the shear during manufacture more than a year before the filing date of Applicant's provisional application.

Formulation C was first quoted for sale based on a product that was made ~~without~~ with controlling shear during manufacture more than a year before the filing date of Applicant's Provisional Application. Beginning in ~~May~~ March 2002, Formulation C was quoted for sale for a product that did control the shear in accordance with the present application and applicant's Provisional Application.

Formulation D was quoted for sale only based on a product that did ~~not~~ control the shear during manufacture more than a year before the filing date of both the present application and Applicant's Provisional Application.

Formulation E, F, and G were quoted for sale ~~only~~ based on a product that did ~~not~~ control the shear during the manufacture more than a year before the filing date of both the present application and Applicant's Provisional Application.

Formulations H and I are merely formulation D further diluted. These formulations were quoted for sale ~~only~~ based on a product that did ~~not~~ control the shear during manufacture more than a year before the filing date of both the present application and Applicant's Provisional Application.

Formulations J and K do not appear to have been sold or offered for sale, but were merely experimental in nature. However, in order to be as forthcoming with the Examiner as possible, Applicant discloses the possibility that further investigation of Applicant's files concerning these formulations may reveal an offer for sale date. These formulations were made ~~without~~ with control of the shear during manufacture.

Formulation L was first quoted for sale on 8/16/02 (based on a product that was made ~~without~~ with control of shear during manufacture) more than a year before the present application filing date, but less than a year before applicant's Provisional Application.

Formulation M is a modified version of formulation L where shear was controlled in formulation M during manufacture. It was first quoted for sale before the present application filing date and provisional filing date, but less than 1 year before Applicant's provisional filing date.

Formulation N was first quoted for sale on 5/8/02, more than a year before the present application filing date, but less than 1 year before the filing date of applicant's Provisional Application.

Formulation O is a modification of formulation N (in which shear was controlled in Formulation O and in which additional pentameric cyclomethicone was added as a diluent as compared to Formulation N). Formulation O was first offered for sale before the filing date of the

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present application, but less than 1 year before the filing date of Applicant's Provisional Application.

Respectfully submitted,

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